G. R. S. IX-5]

Previous references.
cts 227-15 (1-2)
cts 138-10 (1 & 2)

1916.17
(Courts)

File No. 288-16

Serial Nos. 2 & 6

Later references.
cts 228-18 (1 & 2)
" 3-36 (3 & 9)

P

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2 & 6

Part B for ~~February~~ March 1917

SUBJECT.

Mode of Communication of the order of H.H on memorials for remission of Sentences.

Mahamadanism
20-3-17

W D 88—GPB—50,000—24-7-16

G. R. S. 11] 191 6.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 988-16

FILE HEADING.

Mode of communication of the order of H.H. on memorials for remission of Sentences.

From

No. Dated Received

Diary No. | Enclos. Spare Copies. | Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

P-T-O.

NOTES—First Sheet.

General and Revenue Secretariat. | Cls File No. 288 of 1916.

Serial No.

Extracts from notes in Courts file 80 of 1916 (Memorial of Naiks praying for the remission of the Sentence of transportation for life passed on him in Kolar Sessions Case No 5 of 1915-16)

× × ×

20) Draft to Regr Ch. Ct & Draft Extn of HH's order putup
Initd 24.10.16
m
for favour of Dewan's approval
Seen) Initd Gs 24/10

21) The Secretary to Govt may sign the orders in such cases if the Dewan sees no objection
Dewan) Sd - Dn Narasinga Rao
Dated 24/10

22) Kindly put up the old orders on the subject
Initd M-V- 26.10.16

23) Done and put-up
Initd Dmn 28/10
Initd Gs 28/10

24) To the General Records for putting up references required
31.10.16)

25) Please see Routine Note.
31/10
1-11-16.

26) For a note on the practice of communicating orders of H. H on memorials for remission of Judicial sentences kind reference is invited to the note on pages 11 & 12 of Cls file 138-10. The old papers referred to are also putup.

1 Flag W = 52 99/62 dt 27-10-1886 to the Chief Judge Mysore.
2 O = 52 98/61 dt 27-10-1886 to the Chief Judge Mysore.
3 S = 209/2 dt 10/12 April 1887 — do —
4 R = orders of Maharaja rejecting remission the memorials by Mallah.

1 N + 2 O
3 S & 4 R.

NOTE—Contn. sheet.

GPB—70.000—17-12-15

ND 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | Cls File No. 288 of 1916.

Serial No.

2

17) In his D.O of 17.12.10 to the Private Secy to H.H the late Dewan (Mr Ananda Rao) enquired if a change in the practice was desirable. The reply was that it was the correct procedure & would be observed in future. This seems to refer to the initialling of the order by H.H himself. It is a matter for consideration if the communication of the order over the signature of Dewan is to be taken as having been approved.

Submit with reference to para 22.

26.12.16

22) The question is whether the Secretary to Government may sign orders in remission cases hereafter. There is no express authority anyway or his duty in the matter, but in 1911, the then Dewan (Mr Ananda Rao) points out to the Private Secretary to His Highness that the practice since 1887 has been 1) for His Highness the Maharaja to initial his decision on the appeal and 2) for communication of the decision to the Chief Court under the signature of the Dewan. The reply was that that was the correct practice and that "it will always be observed in future". Though the second point did not actually arise for decision then, still the correspondence seems to imply that the practice should not be changed without it.

Serial No. 2

H

D.G No 7 1918 B/ 23.12.16
Cls 138—16 (142).

ND 1283—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | CS File No. 288 of 1916

Serial No.

Personally I do not urge any change. But under the existing practice Dewan has to be consulted after orders. The practice now in force has been in existence, known, for the last 30 years.

EB 20/2

Secy) 31) Ref— Para 21 : Dewan's note. Dewan's note 26/2 EB 26/2

Dy. Fish Member & Dewan

2039 27.2

31) I accept the existing practice which has been in force since 1911

5/3 Secy 5/3 EB 5/3

5067 6.3.17

I agree

14.3.17. CC 15/3 EB 15/3

NOTE—Contn. sheet.